## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICCI ANGELINE : CIVIL ACTION

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:

COMMUNITY EDUCATION

v.

CENTERS, INC., et al. : NO. 13-CV-3492

## <u>ORDER</u>

AND NOW, this / D th day of February, 2014, IT IS HEREBY ORDERED that the defendants' motion to dismiss the amended complaint pursuant to Fed. R. Civ. P. 12(b)(6) (Dkt. # 22) is GRANTED in part, and DENIED in part.

- 1. The motion is denied as to Count I and Count III.
- 2. The motion is granted as to Count II.
- 3. Defendant Community Education Centers, Inc. is dismissed from this action.
- 4. The Clerk of Court shall amend the docket to reflect the correct name for the remaining defendant Tyrance Moore.
  - 5. Sergeant Moore shall file an answer within 20 days.

BY THE COURT:

. WILLIAM DITTER, JR.,